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TOWN ATTORNEY
Tom Brooke



MAYOR
Lee Withers

TOWN COUNCIL
Arthur Heggins
Brandon Linn
Rodney Phillips
Charles Seaford
Steve Stroud

CHINA GROVE PLANNING BOARD MEETING
Minutes of Regular Meeting
Thursday, May 9, 2019

The China Grove Planning Board met on Thursday, May 9, 2019 at 7:00 PM at the China Grove Town Hall, 333 North Main Street, China Grove, North Carolina.

Planning Board Members Present: David Morton, Chairman
Butch Bivens, Vice Chairman
Jason Higgins
Natalie Morgan
Jason Hinson
Brie Bivens-Hager
Rodney Phillips

Planning Board Members Absent:

Staff Present: Pamela Mills, Town Clerk
Franklin Gover, Assistant Town Manager

Visitors: Eddie Moore, Principal Land Planner at McAdams
Andrew McDonald, Land Development Project Manager at True Homes

Roll Call and Recognition of Quorum

Chairman Morton called the meeting to order at 7:00 PM. The presence of a quorum was recognized at that time.

Approval/ Corrections of Minutes

Mrs. Morgan made the motion to approve the March 21st, 2019 minutes. Mrs. Bivens-Hager seconded the motion, which carried unanimously.

Adoption of Agenda

Mr. Phillips made the motion to adopt the agenda. Mr. Bivens seconded the motion, which carried unanimously.

Public Comment

None

2019-Z-01 & 2019-CUP-02; Conditional Use Rezoning

- a. Request for Major Subdivision in a Mixed Residential District, currently zoned Suburban Residential

2019-S-01, Kensington; Major Subdivision

a. 188 lot subdivision near Red Fox Lane and US 29 Hwy

Mr. Gover stated the applicants Eddie Moore, and Andrew McDonald are requesting a rezoning from Suburban Residential (R-S) to Mixed Residential Conditional Use (RM-CU) to accommodate a major residential subdivision with 50-foot-wide lots. He stated the Conditional Use rezoning district is voluntary and intended for firm development plans.

He stated this site is a total of 64 acres with 4 parcels involved. He stated the parcels have three creeks that run through them and will require stream buffers. He stated these parcels are near the new Food Lion development on North Main Street. He stated the plat shows 188 lots proposed. He stated the applicants are requesting RM that has a minimum lot width of 50 ft. He stated the front setback for RM is 10 ft minimum, 25 ft maximum. He stated the side setback minimum is 5 ft and rear setback is 25 ft for the RM district. He stated the existing zoning is RS that has a minimum lot width of 70 ft. He stated the front setback for RS is 30 ft minimum, side setback minimum is 10 ft and rear setback is 35 ft for the RS district. He stated RM allows up to 15 units per acre in density. He stated density is measured in gross not net. He stated this is the total area developed and would exclude utility easements and stream buffers. He stated the proposed density ratio is 3. He stated the RM district requires 20% open space and they are proposing 25%. He stated the UDO requires open space to meet certain categories, they are proposing nature preserve and park categories. He stated the site plan shows two stormwater control areas as part of the open space requirements. He stated the plans show topography lines and contour lines which is the preliminary grading and existing topography. He stated historically the town has approve five other RM-CU. He stated a Conditional Use district is established to address situations where a particular use may be acceptable but general zoning district is not. He stated the China Grove Land Use Plan recommends Rural Residential which is typically around the outskirts of town. He stated this category is designed with a density of three dwelling units per acre and offers larger lot sizes. He stated the Land Use Plan states this category is not typically serviced by water and sewer. He stated the RM district is not seen compatible with the Rural Residential category. He stated both RM and RS districts allow single family or modular homes. He stated utilities would be served by SRU and are subject to the stormwater requirements. He stated students from this neighborhood would attend China Grove Elementary and Middle and then Carson High School. He stated the Land Use Plan will need to be amended if approved.

Mr. Gover stated looking at the plat there is a 60-foot wide entrance going into the neighborhood. He stated Red Fox will connect with Ocelot Lane. He stated the park in the middle of the neighborhood is a little over an acre. He stated there is a stub street off of Black Bear Street and future stub connection from Gray Wolf Street.

Mr. Phillips asked if the entrance is an existing road. Mr. Gover stated it is not an existing road and will be a town-maintained road connecting to a NCDOT road. Mr. Phillips asked if all the streets will be town-maintained roads. Mr. Gover stated yes. He stated they are using a 60 ft right-of-way throughout the neighborhood with 24 ft of pavement, 2 ft curb on each side, 5 ft of sidewalk on each side and 6 ft of planting strip on each side. He stated the Fire Marshall recommends wider streets based on issues in a similar neighborhood. He stated what is proposed meets NCDOT standard. He stated map PL-3 shows the existing topography and grading. He stated the darker areas of this map show the contour lines closer and indicates a steeper sloop. He stated there has been some discussion of the usability of some of the back lots with a proposed grade of 3 to 1. He stated this grade is not uncommon but is fairly steep.

Mr. Gover stated the CUP is subject to SRU and Rowan County Inspection. He stated the intersections will need to be approved by NCDOT. He stated the Planning staff and TRC have reviewed the plat and it meets the standards of the UDO. He stated no material evidence has been presented that there is damage to abutting or adjoining properties.

Eddie Moore stated he is the Principal Land Planner with McAdams. He stated they are assisting Mr. McDonald and True Homes with the rezoning. He stated this location in China Grove is great for this type of development. He stated within a mile from this location is a proposed grocery store, the middle school, parks, churches, and access to I-85. He stated from a Land Use perspective this location has great access to community and amenities. He stated we are requesting a maximum of 188 lots. He stated the density is 2.9 per acre. He stated sewer is available along Shue Road and is a gravity clay pipe. He stated connectivity to this pipe would require a Pump Station. He stated True Homes has been in contact with adjacent property owners to bring sewer down a branch of Grants Creek to serve this development. He stated True Homes is in negotiation with these property owners to have a sewer easement that is a half a mile long. He stated there are several site constraints on these parcels. He stated a wet lands and stream study was conducted on the property. He stated there are two branches of a creek along the lower portion and there is another stream around the entrance of the neighborhood. He stated there is 37% open space taking out the road rights-of-way and the lots. He stated 67% of the trees are to be saved. He the smallest lot would produce a building envelope of 3,400 sq ft. He stated the 50-foot-wide lots allow us to cluster the lots which require less infrastructure. He stated this allows True Homes to offers higher end finishes.

Chairman Morton opened the public hearing.

Mrs. Galloway – 290 Shue Road

She stated her question was answered during the presentation. She stated her question was is there going to be an entrance to the neighborhood from Shue Road and she now understands there will not be.

Mrs. Shelton – 295 Red Fox Lane

She asked how the area can accommodate the traffic for residence coming out of this 188-home development. She stated traffic is a nightmare on Hwy 29 and sometimes she waits 20 minutes to come out of Red Fox Lane. She asked if there will be another way to get out of this proposed development. Chairman Morton stated at the moment the only access will be from Red Fox Lane and the new entrance. He stated a lot of the problem right now is the construction along I-85.

Chairman Morton closed the public hearing.

Chairman Morton stated he understands the density is 2.9 per acre. He asked how does this compare to other neighborhoods we have. He stated around the Middle School the density is around 4. He stated one concern he has is these types of neighborhoods do not promote residence that interact with the town. He stated residence in these types of neighborhoods usually eat and sleep at home but go leave town for work and other activities. He stated the back of the neighborhood has some challenges with topography. He stated the lots located on White Hare Lane and the back portion of Gray Wolf Street are well into the sloop. He asked what does this do to the buildable foot print. Mr. Moore stated the to alleviate some of the sloop to these back lots they could lower the land in the middle of White Hare Lane. Mr. McDonald stated one of the biggest issues they have struggled with is do we isolate the exterior lots that will have the sloops or do we push the same problem throughout the development. He stated we will carefully go through the construction documents and figure out what can and cannot be done on each lot. Chairman Morton stated one third of the 188 lots have this type of sloop.

Chairman Morton asked if you were held to the 70 ft width lots how many lots could you get. Mr. Moore stated around 100 lots for 70 ft and around 125 lots for 60 ft.

Chairman Morton stated he would like to see this area have more connectivity. He stated he would like to see a connection stub from Black Bear Street in front of Ocelot Lane. He stated he would also like to see the connection area to Shue Road be a bike or walking path.

Mr. Phillips stated the current zoning; RS is single family and the RM is single family. He asked if the only reason for requesting a rezoning is to have the smaller lots. Mr. McDonald stated yes; we are requesting the rezoning to have the smaller lots. Mr. Phillips stated the intend for this area is to have 70 ft lots for single family dwellings. He stated he sees the need for a neighborhood in this area but he does not like the 50 ft lots. Chairman Morton suggested keeping lots 1-65 at 50 ft and then the rest of the lots at 70 ft.

Chairman Morton asked where will the trees be placed. Mr. Moore stated since each lot has to have a tree, they placed the trees behind the sidewalk on the lot side. He stated this placement gives the appearance of street trees but they are lot trees. Mr. Phillips asked who will maintain the common area. Mr. McDonald stated the HOA will maintain these areas.

Mr. Bivens asked what the average price of the homes will be. Mr. McDonald stated he does not know the average price for this type of home since he does not work in sales. Mr. Moore stated the average square footage is 1,800 to 2,000 square footage. Mrs. Morgan asked if all homes will have a garage and if all homes would be two story. Mr. Moore stated there is one model that is one story but a majority would be two story and all would have a garage. Mr. McDonald stated the average starting price is around \$180,000.

Mr. Hinson asked would this be built all at one time or in Phases. Mr. McDonald stated they build in 50 lot increments. Mr. Hinson stated looking at Rowan County GIS most of the lots in the Oaks of Landis, a majority of the lots are 60 ft. He stated the lots being small and only having one park in the development could be beneficial to the town. He stated with all the events the town has and other parks to visit in town I believe it could encourage the residence to come out of the development and be apart of the community.

Mr. Higgins state he thinks a development like this is needed in the town. He stated these types of developments encourage businesses and restaurants to build in the area as well. He stated these types of developments also attract younger families.

Chairman Morton stated he does not mind the 50 ft lots on the front lots without sloops, but the area after that he would like to see 60 to 70 ft lots. Mrs. Morgan stated she agrees. Mr. Bivens asked if anyone at the TRC meeting had concerns on the 50 ft lots. Mr. Gover stated the grading and sloops were the main concerns from the TRC.

Mr. Bivens made a motion to extend the meeting since they have reached the 2-hour limit. Mr. Hinson seconded the motion, which carried unanimously.

Chairman Morton stated what I am hearing is we are looking at allowing the rezoning to RM with the conditions that the back lots with sloops greater than 8 ft or more being required to have a larger lot width. He stated this would allow for the lots with the steep sloops to have a useable yard. He stated we have also talked about requests for a greenway walking path to Shue Road, and a right of way connection from Ocelot Lane.

Statement of Consistency and Reasonableness

Mrs. Morgan made a motion that 2019-Z-01 is appropriate and necessary to meet the development needs of China Grove for the following reasons not previously envisioned by the China Grove Land Use Plan because of the proximity to Hwy 29 and commercial development, the site has connectivity for sewer and water, and the topographic challenges to this site. Furthermore, the adoption of 2019-Z-01 is deemed an amendment to the China Grove Land Use Plan and is reasonable and in the public interest based on the fact that the proposed subdivision has a similar gross density of 3 units per acre to the Suburban Residential zoning district. Mrs. Bivens-Hager seconded the motion, which was carried unanimously.

Mrs. Morgan made a motion to recommend approval of 2019-Z-01 to rezone Rowan County Tax Parcels 115 062, 117 165, 117 204, 117 205 from Suburban Residential (R-S) to Mixed Residential (RM) based off the statement of Consistency. Mr. Higgins seconded the motion, which was carried unanimously.

Mrs. Morgan made a motion to recommend approval of 2019-CUP-01 to allow a Major Residential Subdivision on Rowan County Tax Parcels 115 062, 117 165, 117 204, 117 205 with the conditions that lots 1-52 have a minimum lot width of 50 ft, lots 53-188 have a minimum lot width of 50 ft except when the elevation change of 8 or more ft is present on the rear of the lot then the lot shall be 60 ft in width, no steep slope shall begin within 12 ft of the rear façade of the home. She stated a greenway path shall be installed up to Shue Road, walking trails through the nature preserve areas connecting Black Bear Street to Mountain Goat Lane, Mountain Goat Lane to Gray Wolf Street, and around White Hare Lane. She stated the plat shall indicate a future street connection to the rear of North Main Street Baptist across from Ocelot Lane, and vehicular connectivity from Red Fox Lane to White Hare Lane. Mrs. Bivens-Hager seconded the motion, which was carried with a vote of 5-2, with Chairman Morton and Mr. Phillips oppose.

Mr. Higgins made the motion to recommend approval of 2019-S-01 preliminary plat. Mr. Hinson seconded the motion, which was carried with a vote of 5-2 Chairman Morton and Mr. Phillips no

Adjourn

Mr. Phillips made the motion to adjourn. Mr. Higgins seconded the motion, which was carried unanimously.

David Morton
Chairman

Pamela L. Mills, CMC
Town Clerk